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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,553	01/12/2004	Patrice Aguilera	43315-201407	9284

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EXAMINER

NEWVILLE, TONI E

ART UNIT PAPER NUMBER

3671

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/754,553	Applicant(s) AGUILERA, PATRICE	
	Examiner Toni Newville	Art Unit 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Pokladnik et. al., US 4438817.

Regarding claim 1, Pokladnik discloses:

A subsea oil and/or gas exploitation device (12), comprising a guide member (piping structure of Fig. 1) operative to guide subsea equipment that is to be landed and connected to said device (12) into a connecting position in relation to said device (12), wherein said at least one guide member comprises an array of generally vertically extending projections (36, 37, 38, 39) operative to engage corresponding recesses (bottom of 81, 82, 83, 84) arranged in a corresponding guide member (top of Fig. 3) of the subsea equipment (column 5 lines 50-53).

Regarding claim 2, each projection (36, 37, 38, 39) has a tapered end portion (Fig. 1).

Regarding claim 3, the projections project in a generally vertical direction when in an operative position (Fig. 1).

Regarding claim 15, the projections (36, 37, 38, 39) are arranged circumferentially around a center axis of the guide member (Fig. 1).

Regarding claim 16, the projections (36, 37, 38, 39) are evenly angularly distributed around a center axis of the guide member (Fig. 1).

Regarding claim 17, the device (12) is a base device that is to be located on the sea bottom (column 3 lines 4-5).

Regarding claim 18, the device (12) defines a well template and wherein the equipment to be seated thereon comprises a Christmas tree (22).

3. Claims 5-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Zaremba, US 4174011.

Regarding claim 5, Zaremba discloses a subsea oil and/or gas exploitation device (16), comprising:

A guide member (40) operative to guide subsea equipment (22) that is to be landed and connected to said device into a connecting position in relation to said device (16), wherein said at least one guide member (40) comprises an array of recesses (93) operative to engage corresponding generally vertically extending projections (90) arranged at a corresponding guide member (80) of the subsea equipment (22) to be connected thereto (column 5 lines 5-8), such that a plurality of the projections are engaged by each of the at least one guide member.

Regarding claim 6, the guide member (40) comprises a hollow body, the inner periphery of which defines a truncated cone, said recesses (93) being provided in the wall of said body (Fig. 5).

Regarding claim 7, the hollow body defines a funnel, the recesses (93) being provided in the wall of the funnel (Fig. 5).

Regarding claim 8, the projections or recesses (93) are arranged circumferentially around a center axis of the guide member (Fig. 1).

Regarding claim 9, the projections or recesses (93) of an individual guide member (40) are evenly angularly distributed around a center axis of the guide member (Fig. 5).

Regarding claim 10, the device (16) is a base device that is to be located on the sea bottom (Fig. 1).

Regarding claim 11, the device (16) defines a well template (Fig. 1) and the equipment to be seated thereon comprises a blow out preventer (column 1 lines 56-57).

Regarding claim 12, the device (16) comprises a plurality of guide members (reference number 40 in Fig. 2), one for each well or drill hole.

4. Claims 5, 7, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Cunningham et al., US 5992526.

Regarding claim 5, Cunningham discloses a subsea oil and/or gas exploitation device (Fig. 1) comprising:

A guide member (20) operative to guide subsea equipment (30) that is to be landed and connected to said device (Fig. 1) into a connecting position in relation to said device (Fig. 1), wherein said at least one guide member (20) comprises an array of recesses (26) operative to engage corresponding generally vertically extending projections (32) arranged at a corresponding guide member (bottom of 30) of the subsea equipment (30) to be connected thereto (column 5 lines 5-8), such that a plurality of the projections (32) are engaged by each of the at least one guide member (20).

Regarding claim 7, Cunningham discloses the device comprising a hollow body (Fig. 1), the inner periphery of which defining a truncated cone (24), and the hollow body defining a funnel (24), the recesses (26) provided in the wall of the funnel (24).

Regarding claim 13, the device defines a Christmas tree (10).

5. Claim 1 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Hopper, US 5085277.

Regarding claim 1, Hopper discloses a subsea oil and/or gas exploitation device (17), comprising: at least one guide member (surrounding 17) operative to guide subsea equipment (25) that is to be landed and connected to said device (17) into a connecting position in relation to said device, wherein said at least one guide member comprises an array of generally vertically extending projections (27), operative to engage corresponding recesses (bottom of 28) arranged in a corresponding guide member (28) of the subsea equipment (25), such that a plurality of the projections (27) are engaged by the corresponding guide member.

Regarding claim 19, the device (17) defines a blow out preventer (column 4 lines 47-48).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pokladnik et al., US 4438817, in view of Rytlewski et al., US 6231265.

Pokladnik discloses a device as described above. Pokladnik fails to disclose each projection comprising an outer layer of a low-friction material, preferably a polymer, and most preferably poly-tetra-fluor-ethylene.

Like Pokladnik, Rytlewski discloses mating subsea devices, including a first component having a projection (112) for insertion into a recess (64) of a second component (column 4 lines 9-11). Unlike Pokladnik, Rytlewski discloses coating the surface of the projection (112) with a low-friction material (claim 4), the low-friction material being polymer poly-tetra-fluor-ethylene (column 4 lines 25-27) (claims 21 and 22).

Given the suggestion in Rytlewski, it would have been obvious to one of ordinary skill in the art to modify the device of Pokladnik as taught in Rytlewski to minimize friction between the two components so that maintenance and repair costs due to damage and wear are reduced.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cunningham et al., US 5992526, in view of Peterman et al., US 6325159.

Cunningham discloses a subsea oil and/or gas exploitation device as described above, including a device defining a Christmas tree (10) comprising a guide member (20) provided for the purpose of engaging corresponding projections (32) arranged at a corresponding guide member (30) of the subsea equipment to be connected thereto (column 5 lines 5-8). Cunningham fails to disclose an alternative device, such as a pump or separator, as the subsea oil and/or gas exploitation device.

Like Cunningham, Peterman discloses a subsea oil and/or gas exploitation device (40), in this case comprising a guide member with a recess (112) for engaging a corresponding projection (115) arranged at a corresponding guide member (bottom of 42) of the subsea equipment to be connected thereto (42). Unlike Cunningham, Peterman discloses the device (40) defining a mud pump (102).

Given the suggestion in Peterman, it would have been obvious to one of ordinary skill in the art to include the mud pump subsea oil and/or gas exploitation device (40) of Peterman in addition to the arrangement of Cunningham, because pumps are commonly known pieces of subsea equipment that are removably connected with recesses to improve the efficiency of installation.

9. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hopper, US 5085277, in view of Pokladnik et al., US 4438817.

Hopper discloses a subsea oil and/or gas exploitation device (17) as described above, including a blow out preventer (17) containing a guide member having projections (27) for engaging recesses in a corresponding guide member of a piece of subsea equipment (25). Hopper fails to disclose using an alternative piece of equipment to a blowout preventer for engaging a corresponding guide member of a piece of subsea equipment.

Like Hopper, Pokladnik discloses a subsea oil and/or gas exploitation device on which equipment is landed and connected. Unlike Hopper, Pokladnik includes a separator package (25) with upwardly extending projections (104, 105, 106, 107) analogous to those shown in the device of Hopper.

Given the teaching in Hopper, it would have been obvious to one of ordinary skill in the art to include the separator package (25) of Pokladnik in the device of Hopper because the separator package (25) has an analogous guide member and projection structure as the blowout preventer (Hopper; 17) in Hopper, and separators are common pieces of subsea equipment that are often placed above of below other types of wellhead equipment for more efficient subsea production.

Response to Arguments

10. Applicant's arguments filed 1/23/2006 have been fully considered but they are not persuasive.

The applicant has argued that the examiner's 102(b) rejection of claims 1-3 and 15-18 in view of Pokladnik was improper because Pokladnik does not disclose a structure that includes a guide member that includes a plurality of projections and further does not disclose that a plurality of the projections are engaged by a single guide member. However, the examiner finds that the structure 12 having a guide member (vertical projections extending from 12, see bottom of Fig. 3) having projections 38, 39, 40 and 41 engaged by recesses in 81, 82, 83 and 84 which are connected to guide member 22 reads on these limitations. The rejection of the previous office action has therefore been repeated.

The applicant has also argued that the examiner's 102(b) rejection of claims 5-12 in view of Zaremba was improper because Zaremba does not disclose a structure that includes at least one guide member that includes an array of recesses operative to engage corresponding generally vertically extending projections and further does not disclose that a plurality of the projections are engaged by one guide member. However, the examiner finds that the structure of Fig. 5 comprising guide member 40 having an array of recesses 93 operative to engage corresponding generally vertically extending projections 90 arranged at a corresponding guide member 80 reads on these limitations. The rejection of the previous office action has therefore been repeated.

The applicant has argued that the examiner's 102(b) rejection of claims 5, 7, and 13 in view of Cunningham was improper because Cunningham does not disclose a

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structure that includes at least one guide member that includes an array of recesses operative to engage corresponding generally vertically extending projections, and further does not disclose that a plurality of the projections are engaged by each guide member. However, the examiner finds that the guide member 20 comprising an array of recesses 26 operative to engage corresponding generally vertically extending projections 32 arranged at a corresponding guide member at the bottom of 30 reads on those limitations. The rejection of the previous office action has therefore been repeated.

The applicant has further argued that the examiner's 102(b) rejection of claims 1 and 19 in view of Hopper was improper because Hopper does not disclose a structure that includes a guide member that includes a plurality of projections, and that Hopper further fails to disclose that a plurality of the projections are engaged by a single guide member. However, the examiner finds that one guide member surrounding 17 comprises an array of generally vertically extending projections 27, operative to engage corresponding recesses at the bottom of 28 arranged in a corresponding guide member 28 of the subsea equipment 25, such that a plurality of the projections 27 are engaged by the corresponding guide member. The rejection of the previous office action has therefore been repeated.

Regarding dependent claims 4, 14, and 20, the examiner has repeated the 103(a) rejections of the previous office action.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

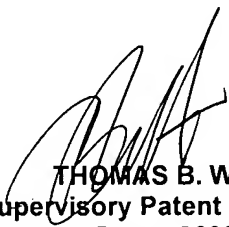
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toni Newville whose telephone number is (571) 272 - 1548. The examiner can normally be reached on Monday - Friday 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on (571) 272-6998. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Toni Newville
March 27, 2006



THOMAS B. WILL
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Group 3600